

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

February 25, 1960

10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Miller presiding.

Roll call:

Present: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Absent: None

Present also: W. T. Williams, Jr., City Manager; Dudley Fowler, Assistant City Attorney; Reuben Rountree, Jr., Director of Public Works; Robert A. Miles, Chief of Police.

INVOCATION was delivered by FATHER HAROLD ZINK, St. Mary's Cathedral.

Councilman White moved that the Minutes of the Meeting of February 18, 1960, be approved. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

MR. L. F. MIERS, Contractor, appeared before the City Council, asking that the lake remain lowered for another week. The City Manager stated several requests had been received for extension of time, and reviewed the per-diem cost to the City, and a possible extra cost if it becomes necessary to release water from Lake Travis. It was discussed that the present freezing weather and that further freezes would be beneficial to killing the weeds and would be beneficial to the lake. After discussion, Councilman Perry moved that the lake be left down another week. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilman Palmer, Perry, White
Noes: Councilman Bechtol
Absent from Council Room when vote was taken: Mayor Miller

The City Manager was asked to check with the L.C.R.A. and to give publicity.

MR. JACK SPARKS, represented WOODWARD MANUFACTURING CORPORATION, in its tax appeal before the City Council, and went over various assessments. The

Tax Assessor and appraisors were present. MR. GUY DORSEY of the Woodward Manufacturing Company was also present. No action was taken at this time.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT ON (A) LOTS 8-12, BLOCK 3, GREEN ACRES, (B) AREA I, LOTS 6 AND 7, BDOCK 3, GREEN ACRES, AND (C) AREA II, LOTS 1-4, BLOCK 3 GREEN ACRES, ALL IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD SUCH CHANGES ORDERED HEREBY; AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Bechtol moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman Bechtol moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman Bechtol moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE PERPETUALLY VACATING AND CLOSING 7870 SQUARE FEET OF SCHULLE AVENUE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, RETAINING A DRAINAGE EASEMENT, IN THE CITY OF AUSTIN, FROM BONNIE ROAD TO BRIDLE PATH; AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Bechtol moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman Bechtol moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

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Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE PERPETUALLY VACATING AND CLOSING TO PUBLIC TRAVEL THAT PORTION OF SOUTH FOURTH STREET LYING WEST OF THE I. & G. N. RAILROAD TRACKS AND LYING ALONG THE EAST LINE OF LOTS 1-6 OF FREEWATER ADDITION FROM NORTH LINE OF BANISTER LANE TO NORTH PROPERTY LINE OF LOT 1 OF SAID ADDITION, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT FOR PUBLIC UTILITY AND DRAINAGE PURPOSES AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The

motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Action on vacating a portion of Bull Creek Road north of Hancock Drive was postponed until next week.

The City Manager submitted the following:

"February 23, 1960

"W. T. Williams, Jr., City Manager

Contract Number 60-D-5

"Following is a tabulation of the bids received at 10:00 A.M., Tuesday, February 23, 1960 for the construction of a storm sewer in Burnet Road from Houston Street to Adams Avenue and in Adams Avenue from Burnet Road to 300 feet south of Ullrich Avenue- Contract Number 60-D-5.

Ed H. Page	\$18,197.00
Karl Wagner, Inc.	22,992.90
Austin Engineering Company	24,380.36
Fairey-Simons, Incorporated	24,609.00
Walter W. Schmidt	28,019.00
City's Estimate	\$18,212.00

"I recommend that Ed H. Page with his low bid of \$18,197.00 be awarded the contract for this project.

"S. Reuben Rountree, Jr.
Director of Public Works"

Councilman Perry offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on February 23, 1960 for the construction of a storm sewer in Burnet Road from Houston Street to Adams Avenue and in Adams Avenue from Burnet Road to 300 feet south of Ullrich Avenue - Contract Number 60-D-5; and

WHEREAS, the bid of Ed H. Page, in the sum of \$18,197.00, was the lowest

and best bid therefor, and the acceptance of such bid has been recommended by the Director of Public Works, of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Ed H. Page, in the sum of \$18,197.00 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Ed H. Page.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves the property situated on the south side of Houston Street as a private gasoline plant consisting of a 750 gallon tank and electric pump for the sole purpose of servicing his own motor equipment, and from which no gasoline is to be sold, which property is owned by E. A. Grimmer, and is Lot 2A of the resubdivision of Lot 1 of Skyland Addition of the City of Austin, Travis County, Texas, and hereby authorizes the said E. A. Grimmer to operate a private gasoline plant consisting of a 750 gallon tank and electric pump for the sole purpose of servicing his own motor equipment, and from which no gasoline is to be sold, subject to the same being operated in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this private gasoline plant after full compliance with all the provisions of this resolution, and said permission shall be held to be granted, and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that the said E. A. Grimmer has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
February 24, 1960

"Mr. W. T. Williams, Jr.
City Manager
Austin, Texas

"Dear Sir:

"I, the undersigned, have considered the application of E. A. Grimmer for permission to operate a private gasoline plant consisting of a 750 gallon

underground tank and electric pump for the sole purpose of servicing their own motor equipment and from which no gasoline is to be sold, upon property located on the south side of Houston Street, which property is designated as Lot 2A of the resubdivision of Lot 1 of Skyland Addition in the City of Austin, Travis County, Texas, and locally known as 833 Houston Street.

"This property is located in a "C" Commercial District and I recommend that this permit be granted subject to the following conditions:

"(1) That the gasoline tanks and pumps shall be of an approved type and shall bear the label of the Underwriters Laboratories, Inc., and that all tanks and pumps shall be installed in compliance with the Ordinance governing the storage and handling of gasoline.

"(2) That all tanks and pumps shall be located not nearer than 10 feet to the property line and so located that cars stopped for the purpose of unloading or receiving gasoline or other supplies shall not in any way obstruct the free passage of traffic on either the sidewalk, street, or alley.

"(3) That "No Smoking" signs shall at all times be prominently displayed and no person shall be permitted to smoke on the premises where gasoline is handled or stored.

"(4) That all fees shall be paid and a permit secured from the Building Inspector's Office before any installation work is started, and that no equipment shall be placed in operation until after final inspection and approval of same.

"Respectfully submitted,
(Sgd) J. C. Eckert
Building Inspector"

The motion, seconded by Councilman Perry, carried by the following vote:
Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, there has been submitted to the Building Inspector, the application of Alpha Tau of the Delta Zeta Sorority (J.C. Peterson, Cont.) for a building permit together with a site plan dated February 24, 1960, meeting the requirements of Section 10-B, 3 of the Zoning Ordinance of the City, for certain building establishment at 2315 Nueces Street, more particularly described in said application; and,

WHEREAS, it has been found and determined by the City Council of the City of Austin, that based upon the use of the premises for the purpose of Sorority House the maximum number of parking spaces which will probably be used by employees and customers of such establishment, taking into account the loading facilities on the site, the public parking areas and street space available for parking in the vicinity, public safety, and free circulation of traffic both on and off the site, is Nine parking spaces; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That Nine (9) spaces is an adequate number of parking spaces for the establishment shown on the site plan of Delta Zeta Sorority dated February 24, 1960, for use of the premises for the purpose of Sorority House.

The motion, seconded by Councilman Perry, carried by the following vote:
 Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
 Noes: None

The Mayor brought up the following zoning application deferred from last week:

NASH PHILLIPS-	6305-6433 Cameron Road	From "A" Residence
CLYDE COPUS	1301-1307 Wheless Lane	To "GR" General Retail
		RECOMMENDED by the
		Planning Commission
		except for a 25' strip
		along south and east
		boundary of property

Mr. Nash Phillips displayed plans. Opposition was still expressed by MR. PASSMORE, and MR. PROCOPIO, on the basis the neighborhood would no longer be first class. Mr. Phillips stated that besides the planting strip, he would be glad to erect a 2' fence on the inside of the strip to be sure no trash would blow into the neighborhood. Councilman Palmer moved that the change be granted with all of the safeguards. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
 Noes: None

The Mayor announced that the change had been granted to "GR" General Retail except for a 25' strip along south and east boundary of property, and the City Attorney was instructed to draw the necessary ordinance.

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Announcement was made that hearing on the following zoning application had been postponed until MARCH 3, 1960:

ROY BEAL & DUNNING	1705-09 Guadalupe Street	From "C" Commercial
BRIGHT, By Frank W.		To "DL" Light Industrial
McBee, Jr., et al		

Pursuant to published notice thereof the following zoning applications were publicly heard:

TEXAS STATE INVEST-	1601-21 San Antonio Street	From "C" Commercial
MENT COMPANY	401-421 West 17th Street	3rd Hgt. & Area
By John W. Washington	1600-20 Guadalupe	To "C" Commercial
	400-20 West 16th Street	4th Hgt. & Area
		RECOMMENDED by the
		Planning Commission

Mr. Tom Brown represented the applicant, stating the Telephone Company was purchasing the block and wanted to erect a 12 story building for the Division Office Building. No opposition appeared. The Mayor asked those who wished

to grant the change to "C" Commercial 4th Height and Area to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
 Noes: None

The Mayor announced that the change had been granted to "C" Commercial 4th Height and Area and the City Attorney was instructed to draw the necessary ordinance.

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W. C. ALFF	1900-10 East 19th Street 1901-1903 Chicon Street	From "C" Commercial To "C-2" Commercial RECOMMENDED by the Planning Commission
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Mr. Alff represented himself. Rev. Marcos L. Cooper, objected. Mr. Alff stated he did not want a tavern--only a liquor store. The Mayor asked those who wished to grant the change to "C-2" Commercial to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
 Noes: None

The Mayor announced that the change had been granted to "C-2" Commercial and the City Attorney was instructed to draw the necessary ordinance.

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DEAN O. SMITH By Raymond Ramsey	3409 Jefferson	From "A" Residence To "LR" Local Retail RECOMMENDED by the Planning Commission
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No opposition appeared. The Mayor asked those who wished to grant the change to "LR" Local Retail to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
 Noes: None

The Mayor announced that the change had been granted to "LR" Local Retail and the City Attorney was instructed to draw the necessary ordinance.

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ARTHUR SMITH By C.B. Francis	Tract 1: 6911-6917 Burnet Lane 2113-2209 Cullen Avenue Tract 2: 2105-2113 Cullen Avenue	From "A" Residence To "GR" General Retail From "A" Residence To "B" Residence RECOMMENDED by the Planning Commission
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No opposition appeared. The Mayor asked those who wished to grant the change to "GR" General Retail on Tract 1 and "B" Residence on Tract 2 to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the change had been granted to "GR" General Retail for Tract 1 and "B" Residence for Tract 2 and the City Attorney was instructed to draw the necessary ordinance.

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ROBERT J. MCKINLEY By Edgar E. Jackson	3713-15 Interregional Highway	From "A" Residence To "C" Commercial RECOMMENDED by the Planning Commission and to include 3711 Interregional Highway
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No opposition appeared. The Mayor asked those who wished to grant the change to "C" Commercial and to include 3711 Interregional to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the change had been granted to "C" Commercial including 3711 Interregional Highway, and the City Attorney was instructed to draw the necessary ordinance.

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BARNHART & COOK	5111-5227 Old Manor Road 2502-08 & 2610-2704 New Manor Road	From "A" Residence To "GR" General Retail RECOMMENDED by the Planning Commission
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Mr. Vernon Cook represented the applicants. Mr. Hoyle Osborne pointed out the necessity of opening East 51st Street through the property. Mr. Cook opposed this as he stated most of it would be taken from his property, but the street would be curved down to give frontage to another property owner. He said he would give the property, but did not want it to be curved. Mr. Osborne showed the plans on the map accompanying the zoning application. Mr. Cook stated that this plan was very fine and he would sign a letter giving the land if the City improved the street. Councilman White moved that the Council grant this zoning; Mr. Cook to file a letter with the City dedicating this right-of-way. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilman Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the change had been granted to "GR" General Retail and the City Attorney was instructed to draw the necessary ordinance.

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PLANNING COMMISSION

Area 1	Delwood 4 East, Sec.4, & adjoining tract to the north	From Interim Zoning To "A" Residence 1st Height and Area
Area 2	Proposed Windsor Park 3, Sec. 4 & adjoining tract	From Interim Zoning To "A" Residence 1st Height and Area
Area 4	Manor Hills, Sec. 7 & adjoining area	From Interim Zoning To "A" Residence 1st Height and Area
Area 5	10.5 acres adjoining Marlow Heights, Sec. 2	From Interim Zoning To "A" Residence 1st Height and Area

The Mayor asked those who wished to establish the zoning for Area 1, Area 2, Area 4 and Area 5 as "A" Residence 1st Height and Area to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the zoning had been established as "A" Residence and the City Attorney was instructed to draw the necessary ordinance.

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F. A. ZIMMERMAN, Owner 3903 Alice Avenue DOYLE BARNETT, Applicant By Jack F. Cook	From "A" Residence To "C" Commercial NOT Recommended by the Planning Commission
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No one appeared to represent the applicant. No opposition appeared.
The Council deferred action.

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MRS. CORDELIA A. LENTHE & THEODOR E. BECKER	4717-4805 Harmon Avenue	From "A" Residence To "C" Commercial NOT Recommended by the Planning Commission
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Mr. H. H. Lenthe appeared, stating they wanted to subdivide, and was told they would have to give a 50' street, while the owner next to them was permitted to subdivide, and was not requested to give the remainder of the street through to 49th Street. Their property had been leased to the Exchange Club for the amount of the taxes. Now they wanted to lease it to the adjoining lumberyard for the same amount, the property to be used for storage of lumber. The zoning of the lumber yard had ruined the property for residential use. Opposition was expressed by MR. ALVIS VANDYGRUFF and one of his clients, MRS. SMITH, stating that their property would likewise be ruined by this zoning; that

they had been molested for years by the use of the Lenthe property as a baseball field; that if this zoning is granted, their property would be destroyed, and 20 families would be miserable; that they would have to live next to a lumber yard, be subject to termites and rats. MR. MASSEY, 922 East 48 $\frac{1}{2}$ Street expressed opposition. The Council postponed action until it could look at the area.

T. R. HARTGROVE

2401-03 Lake Austin
Boulevard

From "O" Office
To "LR" Local Retail
RECOMMENDED by the
Planning Commission

No one represented the applicant. MR. CLYDE SHIPP suggested that the City purchase the property and make it into a parking lot for Deep Eddy; but if it doesn't, it should require the owner to give 20 or 30' for widening the street. If this were done, he would withdraw his opposition. The Director of Public Works stated that the street did need additional width. The Council delayed action until it could make a personal inspection of the area.

PLANNING COMMISSION

Area 3

2.5 acres on New Manor
Road south of Old Manor
Road

From Interim Zoning
To "GR" General Retail

The Council deferred action.

Councilman Bechtol moved that the plans for the Concession Stand at Zilker Park be approved and the City Manager be instructed to advertise for bids. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The City Manager stated that in connection with a request for a different electric rate for the Del Valle Common School District, he had been asked to get confirmation on the number of Austin people attending these schools, and he verified the figures previously submitted. In this particular case there are 81 students involved. He suggested that the district be placed on the residential rate the same as the Austin Public School District. Councilman White moved that the Del Valle Common School District be put on the residential rate. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The City Manager stated that Barton Springs would be opened in a few weeks, and that the Director of Recreation had recommended MR. MARVIN YOUNG as the Concessionnaire. Mr. Young had proposed to pay 25% of the gross receipts. Councilman Bechtol moved that MARVIN YOUNG be granted the Concession rights at Barton Springs. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The City Manager presented a request he had received to exhibit a jet propelled boat during the Sports Fair at the Auditorium, the display to be in the river. He said he first wanted to investigate to see if there would be any objectionable features. Councilman Perry suggested that there was a new type of engine which would not be objectionable. No action was taken at this time.

The City Manager stated that the Appeal Board, as provided for in the AirConditioning Ordinance, should be set up.

The City Manager stated that the employee now operating the concession stand for Mr. Vickers at the Auditorium, was leaving to manage another place full time, and it was very necessary to get a concessionnaire. Councilman Palmer asked if the City Manager would make some inquiries from the concessionnaire from Fort Worth and see what his proposition would be.

The Council set the following zoning application for further hearing on WEDNESDAY, April 20th, asking that notices be sent to the adjoining property owners at the proper time:

HENRY G. SANDERS	4601-03 East 12th Street 1165E-1173E Springdale Road	From "A" Residence To "LR" Local Retail
HENRY G. SANDERS	1200-02 Springdale Road 4124-28 East 12th Street	From "A" Residence To "LR" Local Retail

There being no further business, Councilman Perry moved that the Council adjourn. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilman Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Council adjourned at 1:00 P.M., subject to the call of the Mayor.

ATTEST:

Olin W. ...
City Clerk

APPROVED _____

Mayor